

FILED
JUL 10 2020
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____
DEPUTY CLERK

SA-20-MJ-868 (1)

II. MOTION FOR DETENTION

Grounds for detention. The Government further requests that Defendant be detained pending trial in this case pursuant to 18 U.S.C. §§ 3141(a) and 3142(e), because no condition or combination of conditions will reasonably assure:

- ☒ Defendant's appearance as required
- ☒ the safety of any other person or the community

III. MOTION FOR CONTINUANCE

Three-day continuance. Pursuant to 18 U.S.C. § 3142(f), the Government moves for a three-day continuance of the detention hearing in the matter.

IV. NOTICE OF REBUTTABLE PRESUMPTION IN FAVOR OF DETENTION

Presumption of detention. In addition, the Government gives notice that 18 U.S.C. § 3142(e)(3) establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community, because there is probable cause to believe that Defendant committed:

- ☒ a qualifying controlled substance offense with a maximum sentence of 10 years or more
- ☐ an offense under 18 U.S.C. § 924(c)
- ☐ an offense under 18 U.S.C. chapter 77 for which a maximum term of imprisonment of years or more is prescribe
- ☐ a qualifying offense involving a minor victim

V. NOTICE OF APPLICABILITY OF TEMPORARY DETENTION OF UP TO 10 DAYS

Temporary detention. The Government gives notice, pursuant to 18 U.S.C. § 3142(d), that Defendant is subject to temporary detention of up to ten days, as Defendant may flee or pose a danger to any other person or the community, and Defendant was:

- ☐ at the time the offense was committed, on release pending trial for a felony offense
- ☐ at the time the offense was committed, on release pending imposition or execution of sentence, appeal of sentence or conviction, or completion of sentence for an offense
- ☐ at the time the offense was committed, on probation or parole for an offense
- ☐ and is not, a United States citizen or not admitted lawfully for permanent residence

Respectfully submitted,

JOHN F. BASH
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/S/

BY:

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UNITED STATES MAGISTRATE COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL ALMENDAREZ (1)

Defendant.

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SA-20-MJ-868 (1)

ORDER

On this date the Court considered the Government's Motion to Detain Defendant, and the Court having reviewed said motion enters the following Orders:

IT IS HEREBY ORDERED that the Defendant be temporarily detained pending a hearing on the Government's Motion and until further Order of the Court, pursuant to 18 USC 3142(f).

IT IS FURTHER ORDERED that Defendant's bond hearing is set for _____ at _____ a.m. / p.m.

SIGNED AND ENTERED on: _____

RICHARD B. FARRER
UNITED STATES MAGISTRATE JUDGE